



REAL ESTATE COMMITTEE AGENDA
REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEN MACK and WEEKLY

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY ATTORNEY TERESITA PONTICELLO, REAL ESTATE AND ASSET MANAGEMENT DIVISION MANAGER DAVID ROARK, CITY CLERK BARBARA JO (RONI) RONEMUS and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(3:01)

1-1

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding a First Amendment to the Lady Luck Parking Garage Lease located at 333 East Ogden Avenue substituting the \$360,000 cash deposit with a \$480,000 bond - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount: \$360,000 + interest/Deposit

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: Municipal Parking/Ogden Facility

PURPOSE/BACKGROUND:

On 10/30/02, Gemini, Inc. assigned to Steadfast Plaza, LP, a CA limited partnership (Plaza) an undivided 30% interest & Steadfast Creekside, LP, a CA limited partnership (Creekside) an undivided 70% interest as tenants in common & Andrew H. Tompkins as of 6/6/84 (as successor in interest). The previous Section 27 of the Parking Indenture provided for a cash deposit. Lessee desires to replace the \$360,000 cash deposit with a \$480,000 bond to be renewed annually. Upon receipt of the bond and approval of this amendment, CLV shall refund the cash deposit to Plaza & Creekside.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

Amendment to Lady Luck Parking Garage Lease

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 1 be forwarded to the Full Council with a "Do Pass" recommendation.

NOTE: COUNCILMAN MACK abstained since his brother-in-law, ANDREW DONNER, is a managing member of the new Lady Luck.

MINUTES:

COUNCILMAN MACK declared the Public Hearing open.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 1 – Discussion and possible action regarding a First Amendment to the Lady Luck Parking Garage Lease located at 333 East Ogden Avenue substituting the \$360,000 cash deposit with a \$480,000 bond

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, advised that this is the parking garage currently leased to the Lady Luck. In the 1980's when the lease agreement was entered into, the agreement called for a \$360,000 cash deposit, equal to the yearly lease. The new owners have requested that the cash deposit be refunded to them, and, in lieu thereof, MR. ROARK is suggesting that a \$480,000 bond, representing the current yearly lease amount, be taken. There is no fiscal impact to this action and staff recommends approval.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(3:04 – 3:06)

AGENDA SUMMARY PAGE**REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding an Encroachment Agreement for Rampart Boulevard located within the TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Summerlin Parkway and Rampart Boulevard - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

CLV grants this Encroachment Agreement to TPC to allow TPC to construct/maintain a golf cart path tunnel. Flood Control has reviewed this Agreement and the tunnel area. This agreement will not transfer any of the City's public right-of-way to TPC. TPC will be responsible for the repairs/maintenance of the tunnel. TPC agrees to Indemnify the City and maintain liability insurance coverages with regards to the improvements.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

Encroachment Agreement for Rampart Boulevard

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 2 be forwarded to the Full Council with a "Do Pass" recommendation. **COUNCILMAN MACK** concurred.

MINUTES:

COUNCILMAN MACK declared the Public Hearing open on Items 2, 3, 4 and 5.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 2 – Discussion and possible action regarding an Encroachment Agreement for Rampart Boulevard located within the TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Summerlin Parkway and Rampart Boulevard

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, indicated that this is a housekeeping action on the part of staff. The TPC golf course has been built for some time with golf cart paths underneath the existing three streets. These encroachment agreements simply denote the existence of the paths, along with legal descriptions, and make TPC responsible for maintenance, insurance and possible repair. Staff recommends approval of all four items.

There was no further discussion.

NOTE: All discussion for Items 2, 3, 4, and 5 was held under Item 2.

COUNCILMAN MACK declared the Public Hearing closed on Items 2, 3, 4 and 5.

(3:06 – 3:08)

1-140

AGENDA SUMMARY PAGE**REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding an Encroachment Agreement for Canyon Run Drive East located within the TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Canyon Run Drive and Rampart Boulevard - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

CLV grants this Encroachment Agreement to TPC to allow TPC to construct/maintain a golf cart path tunnel. Flood Control has reviewed this Agreement and the tunnel area. This agreement will not transfer any of the City's public right-of-way to TPC. TPC will be responsible for the repairs/maintenance of the tunnel. TPC agrees to Indemnify the City and maintain liability insurance coverages with regards to the improvements.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

Encroachment Agreement for Canyon Run Drive East

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 3 be forwarded to the Full Council with a "Do Pass" recommendation. **COUNCILMAN MACK** concurred.

MINUTES:

COUNCILMAN MACK declared the Public Hearing open on Items 2, 3, 4 and 5.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 3 – Discussion and possible action regarding an Encroachment Agreement for Canyon Run Drive East located within the TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Canyon Run Drive and Rampart Boulevard

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, was present.

NOTE: All discussion for Items 2, 3, 4, and 5 was held under Item 2.

COUNCILMAN MACK declared the Public Hearing closed on Items 2, 3, 4 and 5.

(3:06 – 3:08)

1-140

AGENDA SUMMARY PAGE**REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding an Encroachment Agreement for Canyon Run Drive West located within the TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Canyon Run Drive and Town Center Drive - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

CLV grants this Encroachment Agreement to TPC to allow TPC to construct/maintain a golf cart path tunnel. Flood Control has reviewed this Agreement and the tunnel area. This agreement will not transfer any of the City's public right-of-way to TPC. TPC will be responsible for the repairs/maintenance of the tunnel. TPC agrees to Indemnify the City and maintain liability insurance coverages with regards to the improvements.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

Encroachment Agreement for Canyon Run Drive West

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 4 be forwarded to the Full Council with a "Do Pass" recommendation. **COUNCILMAN MACK** concurred.

MINUTES:

COUNCILMAN MACK declared the Public Hearing open on Items 2, 3, 4 and 5.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 4 – Discussion and possible action regarding an Encroachment Agreement for Canyon Run Drive East located within the TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Canyon Run Drive and Rampart Boulevard

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, was present.

NOTE: All discussion for Items 2, 3, 4, and 5 was held under Item 2.

COUNCILMAN MACK declared the Public Hearing closed on Items 2, 3, 4 and 5.

(3:06 – 3:08)

1-140

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding an Encroachment Agreement for Hualapai Way
TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Hualapai Way
and Town Center Drive - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

CLV grants this Encroachment Agreement to TPC to allow TPC to construct/maintain a golf cart path tunnel. Flood Control has reviewed this Agreement and the tunnel area. This agreement will not transfer any of the City's public right-of-way to TPC. TPC will be responsible for the repairs/maintenance of the tunnel. TPC agrees to Indemnify the City and maintain liability insurance coverages with regards to the improvements.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

Encroachment Agreement for Hualapai Way

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 5 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN MACK concurred.

MINUTES:

COUNCILMAN MACK declared the Public Hearing open on Items 2, 3, 4 and 5.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 5 – Discussion and possible action regarding an Encroachment Agreement for Hualapai Way TOURNAMENT PLAYERS CLUB AT SUMMERLIN, INC. (TPC) in the vicinity of Hualapai Way and Town Center Drive

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, was present.

NOTE: All discussion for Items 2, 3, 4, and 5 was held under Item 2.

COUNCILMAN MACK declared the Public Hearing closed on Items 2, 3, 4 and 5.

(3:06 – 3:08)

1-140

AGENDA SUMMARY PAGE**REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and M. Privitivo Mendoza for real property known as Parcel Number 138-25-515-004 located at 1513 Laurelhurst Drive Unit 4 for \$62,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)

Fiscal Impact☐**No Impact****Amount:** \$62,000 + closing costs☒**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** SRF (Special Revenue Fund)**PURPOSE/BACKGROUND:**

This is a condo unit near Laurelhurst Dr./Westmoreland Dr. Over 80% of the units in the area are vacant & in disrepair, creating a safety/health problem. With most of the properties being in disrepair, they are also subject to many building code violations, as well. CLV wishes to purchase this unit, along with other individually owned units in an effort to clean & revitalize the area. The intention is to purchase the units for either future affordable, senior or single-family housing or revitalization of retail and/or some combination not yet decided upon.

RECOMMENDATION:

Staff recommends approval of the purchase of this property, and authorization of staff to execute all the additional documents necessary to close escrow and record title

BACKUP DOCUMENTATION:

Agreement for Purchase of Real Property

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 6 be forwarded to the Full Council with a "Do Pass" recommendation.

NOTE: COUNCILMAN MACK abstained since his brother, STEVEN MACK, owns property adjacent to this project, which may be affected by any action on Items 6 and 7.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open on Items 6 and 7.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 6 – Discussion and possible action regarding a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and M. Privitivo Mendoza for real property known as Parcel Number 138-25-515-004 located at 1513 Laurelhurst Drive Unit 4 for \$62,000 plus closing costs

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, stated that these are two additional condominium units in the 1501 Decatur area where the City has been purchasing condominiums over the past three months. Staff recommends approval.

COUNCILMAN WEEKLY discussed with MR. ROARK that there are four more units in the southern association and six more units in the northern association to be purchased. The residents are notified and the units vacated. Some of the residents living in the units approved for purchase at the last Council meeting still need to be relocated.

AL GALLEG0, citizen of Las Vegas, pointed out that there are residents living in units where the windows are out. He discussed with DEPUTY CITY MANAGER HOUCHEHS that the budget for this project is under four million dollars, all from the Affordable Housing Set Aside Special Revenue Fund. MR. GALLEG0 questioned where the rest of the money will come from when the costs exceed the available funding, due to asbestos and other expensive requirements, prior to demolition. DEPUTY CITY MANAGER HOUCHEHS expressed his belief that the cost will not exceed available funding.

There was no further discussion.

NOTE: All discussion for Items 6 and 7 was held under Item 6.

COUNCILMAN WEEKLY declared the Public Hearing closed on Items 6 and 7.

(3:08 – 3:13)

AGENDA SUMMARY PAGE**REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Gertrude B. Tolentino for real property known as Parcel Number 138-25-515-008 located at 1509 Laurelhurst Drive Unit 8 for \$65,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)

Fiscal Impact☐**No Impact****Amount:** \$65,000 + closing costs☒**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** SRF (Special Revenue Fund)**PURPOSE/BACKGROUND:**

This is a condo unit near Laurelhurst Dr./Westmoreland Dr. Over 80% of the units in the area are vacant & in disrepair, creating a safety/health problem. With most of the properties being in disrepair, they are also subject to many building code violations, as well. CLV wishes to purchase this unit, along with other individually owned units in an effort to clean & revitalize the area. The intention is to purchase the units for either future affordable, senior or single-family housing or revitalization of retail and/or some combination not yet decided upon.

RECOMMENDATION:

Staff recommends approval of the purchase of this property, and authorization of staff to execute all the additional documents necessary to close escrow and record title

BACKUP DOCUMENTATION:

Agreement for Purchase of Real Property

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 7 be forwarded to the Full Council with a "Do Pass" recommendation.

NOTE: COUNCILMAN MACK abstained since his brother, STEVEN MACK, owns property adjacent to this project, which may be affected by any action on Items 6 and 7.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open on Items 6 and 7.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Public Works

Item 7 – Discussion and possible action regarding a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Gertrude B. Tolentino for real property known as Parcel Number 138-25-515-008 located at 1509 Laurelhurst Drive Unit 8 for \$65,000 plus closing costs

MINUTES – Continued:

DAVID ROARK, Manager of Real Estate and Asset Management, was present.

NOTE: All discussion for Items 6 and 7 was held under Item 6.

COUNCILMAN WEEKLY declared the Public Hearing closed on Items 6 and 7.

(3:08 – 3:13)

1-210

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: LESA CODER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Mack and Weekly

Discussion and possible action regarding an amendment to the Purchase and Sale Agreement and Deed Restriction dated May 15, 2002, between Office District Parking I, Inc., and John T. Moran, Jr. and Marilyn Moran on property located at 628 South Fourth Street - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Subject to the terms and conditions of the Amendment, Office District Parking I, Inc., agrees to (1) amend the Purchase and Sale Agreement referred to in the Grant, Bargain and Sale Deed recorded as Instrument No. 00827 in Book No. 20020604 of the Clark County Recorder's Office, and do hereby delete Section 3, including subsections 3.1 and 3.2, from said Agreement; and (2) cancel, release and delete the deed restriction #1 set forth in the Grant, Bargain and Sale Deed which conveyed the property.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

1. First Amendment to the Purchase and Sale Agreement
2. Grant, Bargain and Sale Deed
3. Purchase and Sale Agreement dated May 15, 2002
4. Site Map

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Item 8 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN MACK concurred.

NOTE: COUNCILMAN MACK disclosed that although the MORANS have been long-time friends and that one of the firm's attorneys, LEW BRANDON, does personal work for him, neither situation has any bearing on this application.

REAL ESTATE COMMITTEE MEETING OF MARCH 31, 2003

Business Development

Item 8 – Discussion and possible action regarding an amendment to the Purchase and Sale Agreement and Deed Restriction dated May 15, 2002, between Office District Parking I, Inc., and John T. Moran, Jr. and Marilyn Moran on property located at 628 South Fourth Street

MINUTES:

COUNCILMAN MACK declared the Public Hearing open.

LESA CODER, Director of the Office of Business Development, explained that the City sold a small parcel of land fronting on Fourth Street located just north of the Moran office building. The original agreement included a price below market value in return for future rights limiting the use of the site to surface parking. Any change in the future would provide the City with the right to repurchase the land without having to pay for the property twice. The MORANS are requesting that the deed restrictions imposed be removed.

JOHN T. MORAN JR., 630 South Fourth Street, confirmed that he was requesting the removal of the two conditions outlined. In lengthy discussions with COUNCILMAN McDONALD, his staff and DEPUTY CITY ATTORNEY TOM GREEN, it is his understanding that they concur with the deed restrictions regarding use and repurchase being removed.

There was no further discussion.

COUNCILMAN MACK declared the Public Hearing closed.

(3:01 – 3:04)

REAL ESTATE COMMITTEE AGENDA
REAL ESTATE COMMITTEE MEETING OF: MARCH 31, 2003

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

None

(3:13)

1-360

THE MEETING ADJOURNED AT 3:13 P.M.

Respectfully submitted: _____
GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK
April 14, 2003